

Christopher J. D. POMFRETT, *et al.*
Serial No. 10/553,745
March 2, 2009

REMARKS/ARGUMENTS

Further consideration of this application is respectfully requested.

Examiners Stout and Hindenburg are thanked for a helpful interview with the undersigned on February 18, 2009. The following remarks include a summary of comments made during that interview.

Claim amendments were discussed as noted above so as to cure possible antecedent basis issues and to ensure that the predetermined time delay before measurement collection is something other than an inherent, unavoidable time delay involved in sequential circuit actuation. In this regard, claims 22, 32, 36, 37, 38 and 42 all require the time delay to be based on a neurological model, while other independent claims 41 and 43 otherwise require more than an inherent unavoidable time delay. Claim 41 requires the time delay to be based on a user input and claim 43 requires a plurality of different time delays. Basis for such features may be found in the specification, e.g., see page 7, line 7, *et seq.*

In addition, claim 43 has been amended so as to remove any requirement for sequential measurements since such is not believed to be required for successful practice of the claimed invention.

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It is the understanding of the undersigned that the amendments made either on January 26, 2009, or by the above supplemental amendments are agreed to provide patentable distinction *vis-à-vis* the currently cited art and make this application allowable subject to possible discovery of additional, more pertinent prior art in subsequent searching efforts.

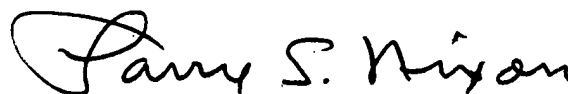
As discussed at the interview, it is respectfully requested that if there are any remaining issues to be addressed, the undersigned be telephoned for prompt resolution.

Accordingly, a formal notice of allowance is earnestly solicited.

Respectfully submitted,

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